

1 **STEPHEN CHAPMAN**
2 Plaintiff *Pro Se*
3 Los Angeles, CA 90046
4 619-550-7543
5 Stepfinchapman@outlook.com

6 **UNITED STATES DISTRICT COURT**
7
8 **CENTRAL DISTRICT OF CALIFORNIA**
9

10 **STEPHEN CHAPMAN**

11 Plaintiff,

12 vs.

13 **HORACE MANN PROPERTY AND**
14 **CASUALTY INSURANCE COMPANY et al**

15 Defendant
16
17
18
19

Case No.: 2:24-CV-10546
Hon.: Michael W. Fitzgerald

**SUPPLEMENTAL NOTICE RELATED
TO DKT 50 IN THE SPIRIT AND
COMPLIANCE PURSUANT TO FRCP
45(a)(4)**

Motion Hearing: June 16, 2025

20 **TO THE COURT AND TO ALL PARTIES AND THEIR**
21
22 **ATTORNEYS OF RECORD**
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1 **PLEASE TAKE NOTICE** that Plaintiff Stephen Chapman, appearing in propria persona, hereby
2 submits this Supplemental Notice of Compliance with Federal Rule of Civil Procedure 45(a)(4) in
3 connection with his intent to serve a subpoena on:

4 **Custodian of Records for Stamps.com**
5 **in care of CSC - LAWYERS INCORPORATING SERVICE,**
6 **Registered Agent for Service of Process**

7 The subpoena seeks limited and specific business records necessary to verify postage transaction
8 logs and transmission data material to disputed service claims and procedural representations made
9 by Defendant's counsel—representations which bear directly on the jurisdictional posture of this
10 matter.

- 11 1. On May 15, 2025, Plaintiff provided advance notice of his intent to issue the subpoena by email
12 to opposing counsel, thus satisfying the notice requirement under FRCP 45(a)(4).
- 13 1. On May 20, 2025, Plaintiff transmitted a complete copy of the subpoena to opposing counsel via
14 email, prior to any attempt to serve it.
- 15 2. The subpoena has not yet been served, out of due diligence and to allow all parties a reasonable
16 opportunity to object. However, Plaintiff affirms that service is well within his rights as the
17 issuing party, and no procedural violation exists. Service is anticipated no earlier than [Insert
18 anticipated service date], consistent with the purpose of Rule 45(a)(4).
- 19 3. This filing is made to clarify the procedural record and avoid any mischaracterization or future
20 challenge under FRCP 45(d) or FRCP 26(c).
- 21 4. On May 21, 2025, counsel for Defendant issued an informal email disputing Plaintiff's
22 compliance with Rule 45(a)(4), and further stating:
23
24 "We typically **do not** wait until we receive a conformed copy back from the court before
25 we serve the document, because this can take *several* days."
26

27 **(Emphasis Added)**
28

While this statement¹ does not constitute a formal objection or a motion to quash under FRCP 45(d)(3), it reflects a routine internal practice that directly supports Plaintiff's need for independent verification of mailing and filing timelines—the very purpose of the subpoena.

Accordingly, absent a court order to the contrary, Plaintiff intends to proceed with service in full accordance with FRCP 45(a)(4), and reserves all rights in response to any future motion brought under Rule 45(d)(3) or Rule 26(c).

Requirement	Execution	Compliance
Notice to all parties	Sent May 15	✓ Yes
Copy of subpoena to all parties	Sent May 20	✓ Yes
Notice and Copy of Subpoena given <i>BEFORE</i> service on subpoena recipient	Not served yet	✓ Yes

EXHIBITS ATTACHED:

- **Exhibit 1:** Email, Plaintiff's May 15, 2025 Notice of Intent to Serve Subpoena
- **Exhibit 2:** [(see ECF No. 50) *Notice TARGETED NOTICE: CLERK PRESERVATION; INTENT TO SOBPONEA STAMPS.COM SERVICE RELATED TRANSACTION DATA*]
- **Exhibit 3:** Copy of Subpoena Provided to Opposing Counsel on May 20, 2025
- **Exhibit 4:** Copy of [Email] Communication referenced herein
- **Exhibit 5:** Subpoena Face

Plaintiff respectfully requests that this Court take judicial notice of this supplemental filing and confirm Plaintiff's full procedural compliance with Rule 45(a)(4).

Respectfully submitted on May 22, 2025,



Stephen Chapman
Plaintiff, In Pro Per

¹ Plaintiff includes the excerpt as stated herein mitigate unsubstantiated assertions and threats made by the defense and to further clarify the Plaintiff's good faith and compliance under the true and correct context in which the subpoena is being pursued thereby demonstrating that no procedural prejudice has occurred and compliance across all elements is unequivocally met.

EXHIBITS

STEPHEN CHAPMAN
7917 Selma Ave, Unit 336
Los Angeles, CA 90046
(619) 550-7543
StefinChapman@outlook.com
Plaintiff in Pro Per

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

STEPHEN CHAPMAN,)	Case No.: 2:24-cv-10546-MWF-BFM
)	
Plaintiff,)	Hon. Michael W. Fitzgerald
)	
vs.)	NOTICE OF SERVICE OF LITIGATION
)	PRESERVATION DEMAND
HORACE MANN PROPERTY &)	
CASUALTY INSURANCE COMPANY, et al))	
)	
Defendants.)	
)	

TO THE COURT AND ALL PARTIES OF RECORD:

PLEASE TAKE NOTICE that on May 14, 2025, Plaintiff Stephen Chapman served by electronic mail a **Litigation Preservation Demand** concerning electronically stored information (ESI), metadata, CM/ECF system logs, PACER activity records, and credential usage related to events occurring between **December 6, and December 11, 2024**, in the above-captioned matter.

The preservation demand was issued upon the following recipients:

- Kristin A. Ingulsrud (kristin.ingulsrud@fmglaw.com)
- Marc J. Shrake (mshrake@fmglaw.com)
- Central District of California Intake (intake@cacd.uscourts.gov)

Plaintiff further advises the Court and opposing counsel that he intends to issue third-party subpoenas to obtain:

- CM/ECF activity logs and audit trails from the U.S. District Court, Central District of California,
- PACER access logs and system-level metadata, and
- Transactional postage records and mailing metadata from Stamps.com and other identified service vendors.

These subpoenas are being prepared in support of anticipated evidentiary proceedings and motions under **Fed. R. Civ. P. 60(b)(3), 60(b)(4), 60(d)(3), and 28 U.S.C. § 1927**. This notice is filed to preserve procedural transparency and preclude objections based on lack of prior notice under Rule 45(a)(4).

This notice is filed for the purpose of memorializing Plaintiff's good-faith efforts to ensure the preservation of key evidentiary materials relevant to pending proceedings under **Fed. R. Civ. P. 60(b)(4), 60(d)(3)**, and the Court's inherent authority.

Dated: May 14, 2025
Respectfully submitted,



STEPHEN CHAPMAN
Plaintiff in Pro Per

 Outlook

Stamps.com

From Stephen Chapman <stefinchapman@outlook.com>

Date Tue 5/13/2025 8:56 AM

To Marc J. Shrake <mshrake@fmglaw.com>; Kristin A. Ingulsrud <kristin.ingulsrud@fmglaw.com>

Good Morning Mark and Kristin,

I hope you're both doing well. I wanted to follow up after our recent conversation, during which I raised a question regarding **FMG's process for collecting, handling, and preparing correspondences for mailing** in this case. Specifically, I asked about the internal procedures and personnel involved in managing mailings that support your firm's sworn service declarations.

Marc, you may recall that in response to this inquiry, you stated, "*I don't have to tell you,*" and declined to provide any further information. Out of respect for that position, I did not press the matter at the time. However, due to the direct relevance of this issue to contested service representations, I am now taking appropriate procedural steps to clarify the evidentiary record through third-party discovery.

Pursuant to **Rule 45(a)(4) of the Federal Rules of Civil Procedure**, this serves as **formal notice of my intent to serve a subpoena on Stamps.com** in five (5) calendar days. The subpoena will seek transactional records and metadata related to postage meter numbers and mail processing identifiers cited in service declarations submitted by your firm. These include, but are not limited to:

- Meter #062S0001443186 – USPS First-Class (\$0.970, Origin: 90071)
- Meter #063S0001443221 – IMI Postage (\$2.040, Origin: 30339)
- Meter #06380001443103 – IMI Postage (\$2.590, Origin: 90071)
- Meter #063S0014950427 – IMI Postage (\$2.040, Origin: 90071)

This is not an exhaustive list, and the subpoena will cover any postage transactions, meter activity, or user metadata or lack thereof within the relevant period that are reasonably necessary to verify or challenge the authenticity and timing of declared/omitted service events in this case.

Please advise if you object to the scope or timing of this subpoena, or if you wish to confer regarding its contents. Absent such objection, I will proceed with service following the five-day notice period.

Thanks so much.

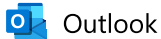
Stephen Chapman

EXHIBIT 1

Notice of intent to Subpoena

3

EXHIBIT 5



RE: Stamps.com

From Marc J. Shrake <MShrake@fmglaw.com>

Date Thu 5/22/2025 9:32 AM

To Stephen Chapman <stefinchapman@outlook.com>

Cc Kristin A. Ingulsrud <kristin.ingulsrud@fmglaw.com>

Stephen,

Please call me.

Rule 45(a) states as follows:

(4) Notice to Other Parties Before Service. If the subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, then before it is served on the person to whom it is directed, a notice and a copy of the subpoena must be served on each party. [emphasis added]

You did not serve a copy of the “subpoena” until May 20.

If you do not withdraw the “subpoena” and we file a motion, we intend to seek attorney’s fees. The time of day that documents were emailed to you is not relevant to your claims against Horace Mann. Your email states, “Given the discrepancies already identified between CM/ECF timestamps, NEFs, and your internal service declarations (e.g., Dec. 6, 2024—4:24 PM email vs. 5:08 PM PACER filing), this data is directly tied to material jurisdictional challenges.” We typically do not wait until we receive a conformed copy back from the court before we serve the document, because this can take several days.

We reserve all rights.

Marc

Marc J. Shrake

Partner

Freeman Mathis & Gary, LLP

EXHIBIT 4

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the
Central District of California

Stephen Chapman

Plaintiff

v.

Horace Mann Property and Casualty Insurance
Company et al

Defendant

Civil Action No. 2:24-cv-10546-MWF(BFM)

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

CSC - Lawyers Incorporating Service

To: Designee Agent for Process Served on behalf of Stamps.com 2710 Gateway Oaks Drive, Suite
150N, Sacramento, CA 95833

(Name of person to whom this subpoena is directed)

☒ **Production: YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: SEE (EXHIBIT A) ATTACHED HERERTO, PAGES 3-6

Place: at the Email Address and Physical Address stated in the attachment.	Date and Time: 05/20/2025
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☐ **Inspection of Premises: YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:
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The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 05/20/2025

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk



Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) Inpropria Persona
Stephen Chapman Stephen@chapmanmed.com or see Exh A, who issues or requests this subpoena, are:
Stephen Chapman, Plaintiff Pro Se

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

EXHIBIT 5